## DECLARATION AND POWER OF ATTORNEY, FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR § 1.63) Declaration Submitted Declaration Submitted with Initial Filing after Initial Filing Case No.: CGL03/0260US01 (A49-539.2) First Named Inventor: Jones, Alison M. COMPLETE IF KNOWN Application No.: 10/565,894 Filing Date: July 26, 2004 Art Unit: Examiner Name:

As a below named inventor, I hereby declare that my residence, mailing address, and citizenship are as stated below next to my name, and that I believe I am an original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ENHANCED STEEP-WATER .				
The specification of which				
is attached hereto;				
🔯 was filed on July 26, 2004 as	United States Applicatio	on No.: 10/565,894		
☐ is identified as PCT Internation	nal Application No.:	filed on		
and was amended on	(if applicable).			
I hereby state that I have reviewe	ed and understand the	contents of the above-identified spec	ification, including	

the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §§ 119(a)-(d)- or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s) or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s) or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign	Country	Foreign Filing Date	Priority NOT	Certified Copy Attached	
Application No.		(MM/DD/YYYY)	Claimed	YES	NO
60/490349	USA	July 24, 2003			×

I hereby appoint Practitioners at Customer Number 38-550 as my attorneys and/or agents with full powers (including the powers of appointment, substitution, and revocation) to prosecute this application and any division, continuation, continuation-in-part, reexamination, or reissue thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

**Customer Number for Practitioner of Record:** 

38550

## Direct all correspondence to

$\boxtimes$	Customer	No.	<u>38550</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR	☐ A petition has been filed for this unsigned inventor.		
Given Name (first and middle [if any]): Alison M.	Family Name or Surname: Jones		
Inventor's Signature		Date: 30,2006	
Residence: Eden Prairie, MN	Country: USA	Citizenship: USA	
Mailing Address: 19206 Joseph Curve, Eden Prairie, MN 55346			
NAME OF SECOND INVENTOR:	☐ A petition has been filed t	for this unsigned inventor.	
Given Name (first and middle [if any]): Ting Liu	Family Name or Surname: Carlson		
Inventor's Signature:	n a	Date:	
Residence: Dayton, OH	Country: USA	Citizenship: USA	
Mailing Address: 9764 Country Creek Way, Dayton, OH 45458			
NAME OF STEROINVENIOR	☐ A petition has been filed	for this unsigned inventor.	
Given Name (first and middle [if any]): Eugene Max, Jr.	Family Name or Surname: Peters		
Inventor's Signature:		Date:	
Residence: Kettering, OH	Country: USA	Citizenship: USA	
Mailing Address: 1589 Constance Ave, Kettering, OH 45409			

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	$\square$ A petition has been filed for this unsigned inventor.		
Given Name (first and middle [if any]): Alison M.	Family Name or Surname: Jones		
Inventor's Signature:		Date:	
Residence: Eden Prairie, MN	Country: Citizenship: USA USA		
Mailing Address: 19206 Joseph Curve, Eden Prairie, MN 55340	6		
NAME OF SECOND INVENTOR:	☐ A petition has been filed	for this unsigned inventor.	
Given Name (first and middle [if any]): Ting Liu	Family Name or Surname: Carlson		
Inventor's Signature:	e o	Date: 6/30/06	
Residence: Dayton, OH	Country: Citizenship: USA USA		
Mailing Address: 9764 Country Creek Way, Dayton, OH 45458			
NAME OF THIRD INVENTOR:	☐ A petition has been filed	for this unsigned inventor.	
Given Name (first and middle [if any]): Eugene Max, Jr.	Family Name or Sumame: Peters		
Inventor's Signature:  Lyhx Piten Jr.		Date: 7/5/06	
Residence: Kettering, OH	Country: USA	Citizenship: USA	
Mailing Address: 1589 Constance Ave, Kettering, OH 45409			

VAME OF FOURTH INVENTOR	☐ A petition has been	nied for this unsigned inventor.		
Given Name (first and middle [if any]): Michael A.	Family Name or Surna Porter	Family Name or Surname: Porter		
Inventor's Signature		Date: 5- July 2006		
Residence: Maple Grove, MN	Country: USA	Citizenship: USA		
Mailing Address: 9123 Sycamore Lane No., Maple Grove, M	1N 55369			
NAME OF FIETH INVENTOR:	☐ A petition has been	filed for this unsigned inventor.		
Given Name (first and middle [if any]): Anton J.	Family Name or Surna Woo	ame:		
Inventor's Signature:		Date:		
Residence: Huber Heights, OH	Country: USA	Citizenship: USA		
Mailing Address: 6887 Charlesgate Road, Huber Heights, C	PH 45424			
6887 Čharlesgate Road, Huber Heights, O		n filed for this unsigned inventor. ame:		
6887 Charlesgate Road, Huber Heights, O NAME OF SIXTHINVENTOR  Given Name (first and middle [if any]):	☐ A petition has beer Family Name or Surna	<u> </u>		
6887 Charlesgate Road, Huber Heights, O NAME OF SIXTH INVENTOR  Given Name (first and middle [if any]): Wade W.	☐ A petition has beer Family Name or Surna	ame:		
6887 Charlesgate Road, Huber Heights, O NAMES E. SIXTH INVENTION Given Name (first and middle [if any]): Wade W. Inventor's Signature: Residence: Excelsior, MN	A petition has been Family Name or Surna Robey  Country: USA	Date: Citizenship:		
6887 Charlesgate Road, Huber Heights, ON AMESOF SIXTH INVENTOR  Given Name (first and middle [if any]): Wade W. Inventor's Signature:  Residence: Excelsior, MN  Mailing Address:	A petition has been Family Name or Surna Robey  Country: USA	Date: Citizenship:		
NAMESOF SEVENTHINVENTOR  NAMESOF SEVENTHINVENTOR  NAMESOF SEVENTHINVENTOR  NAMESOF SEVENTHINVENTOR  NAMESOF SEVENTHINVENTOR	☐ A petition has been Family Name or Surna Robey  Country: USA  ☐ A petition has been	Date:  Citizenship: USA  n filed for this unsigned inventor.		
6887 Charlesgate Road, Huber Heights, On Marker Six TH INVENTOR  Given Name (first and middle [if any]): Wade W. Inventor's Signature:  Residence: Excelsior, MN  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331	A petition has been Family Name or Surna Robey  Country: USA	Date:  Citizenship: USA  n filed for this unsigned inventor.		
NAME OF SEVENTHINVENTOR  NAME OF SEVENTHINVENTOR  Residence: Excelsior, MN  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331	☐ A petition has been Family Name or Surna Robey  Country: USA  ☐ A petition has been Family Name or Surna	Date:  Citizenship: USA  n filed for this unsigned inventor.		
NAME OF SEVENTHINVENTOR  NAME OF SEVENTHINVENTOR  NAME OF SEVENTHINVENTOR  NAME OF SEVENTHINVENTOR  Given Name (first and middle [if any]):  NAME OF SEVENTHINVENTOR  Given Name (first and middle [if any]):  Sandra	☐ A petition has been Family Name or Surna Robey  Country: USA  ☐ A petition has been Family Name or Surna	Date:  Citizenship: USA  In filed for this unsigned inventor.		

Given Name (first and middle [if any]):  Residence: Residence: Maple Grove, MN  Mailing Address:  Inventor's Signature:  Residence: Maple Grove, MN  Mailing Address:  Inventor's Signature:  NAME OF FIFTHINVENTOR:  Inventor's Signature:  Inventor's Sign	AMEGEFOURTH INVENTOR:	A petition has been filed for this unsigned inventor.		
Residence: Maple Grove, MN  Mailing Address: 9123 Sycamore Lane No., Maple Grove, MN 55369  NAME OF FIFTH INVENTOR: Given Name (first and middle [if any]): Anton J.  Inventor's Signature: USA  NAME OF SIXTH INVENTOR: Given Name (first and middle [if any]): Wade W.  Inventor's Signature: USA  NAME OF SIXTH INVENTOR: Given Name (first and middle [if any]): Wade W.  Residence: Residence: Robey  NAME OF SIXTH INVENTOR: Given Name (first and middle [if any]): Wade W.  Residence: Residence: Robey  Date: Residence: Robey  Date: Residence: Robey  Date: Residence: Robey  A petition has been filed for this unsigned inventor.  Given Name (first and middle [if any]): Wade W.  Date: Residence: Robey  Date: Robey  Date: Residence: Robey  Date: Residence: Robey  Date: R				
Maple Grove, MN  Mailing Address: 9123 Sycamore Lane No., Maple Grove, MN 55369   DAME OF FIFTHINVENTOR.	ventor's Signature:	Date:		
9123 Sycamore Lane No., Maple Grove, MN 55369  NAME OF FIFTH INVENTOR:  Given Name (first and middle [if any]): Anton J.  Inventor's Signature:  Woo  Pate:  Country: USA  Mailing Address: 6887 Charlesgate Road, Huber Heights, OH 45424  NAME OF SIXTH INVENTOR:  Residence: Residence: Residence: Given Name (first and middle [if any]): Residence: Residence: Country: USA  Date:  Citizenship: USA  A petition has been filed for this unsigned inventor.  Family Name or Surname: Robey  Date:  Country: USA  Date:  Country: USA  A petition has been filed for this unsigned inventor.  Country: USA  Date:  Residence: Excelsior, MN  Mailing Address: A051 Hallgren Court, Excelsior, MN 55331  NAME OF SIXTH INVENTOR:  Country: USA  Date:  Country: USA  A petition has been filed for this unsigned inventor.  Family Name or Surname:				
Given Name (first and middle [if any]): Anton J.  Inventor's Signature:  Country: USA  Mailing Address: 6887 Charlesgate Road, Huber Heights, OH 45424  NAME OF SIX THUNVENTOR:  Given Name (first and middle [if any]): Wade W.  Inventor's Signature:  Country: USA  Date:  Country: USA  A petition has been filed for this unsigned inventor.  Family Name or Surname: Robey  Date:  Residence: Excelsior, MN  Mailing Address: 4061 Hallgren Court, Excelsior, MN 55331  A petition has been filed for this unsigned inventor.  Country: USA  Date:  Country: USA  Namic Of Seven Filed for this unsigned inventor.  Country: USA  Namic Of Seven Filed for this unsigned inventor.  Country: USA  Namic Of Seven Filed for this unsigned inventor.  Country: USA  Namic Of Seven Filed for this unsigned inventor.  Country: USA  Namic Of Seven Filed for this unsigned inventor.  Country: USA		1 55369		
Given Name (first and middle [if any]): Anton J.  Inventor's Signature:  Woo  Residence: Huber Heights, OH  Mailling Address: 6887 Charlesgate Road, Huber Heights, OH 45424  NAME OF SIXTH INVENTOR: Given Name (first and middle [if any]): Wade W.  Inventor's Signature:  Residence: Excelsior, MN  Mailling Address:  Country: Wade W.  Citizenship: Wade W.  Citizenship: Wade W.  Country: Wade W.  Citizenship: Wade W.  Country: Wade W.  Citizenship: Wade W.	AME OF FILE HINVENTORS	☐ A petition has bee	en filed for this unsigned inventor	
Residence: Huber Heights, OH  Mailing Address: 6887 Charlesgate Road, Huber Heights, OH 45424  NAME OF SIXTH INVENTOR: Given Name (first and middle [if any]): Wade W.  Inventor's Signature:  Residence: Excelsior, MN  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331  NAME OF SIXTH INVENTOR:  Country: USA  Country: USA  Citizenship: USA  Date:  Country: USA  Citizenship: USA  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331  NAME OF SEVENTHINVENTOR  Given Name (first and middle [if any]): Family Name or Surname: Trott  Family Name or Surname: Trott	iven Name (first and middle [if any]):	Family Name or Surr		
Residence: Huber Heights, OH  Mailing Address: 6887 Charlesgate Road, Huber Heights, OH 45424  NAME OF SIXTH INVENTOR: A petition has been filed for this unsigned inventor.  Given Name (first and middle [if any]): Family Name or Surname: Robey  Name of Sixth Inventor's Signature: Date:  Residence: Excelsior, MN  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331  NAME OF SEVENTHINVENTOR: A petition has been filed for this unsigned inventor.  Family Name or Surname: Citizenship: USA  NAME OF SEVENTHINVENTOR: A petition has been filed for this unsigned inventor.  Family Name or Surname: Family Name or Surname: Trott				
NAME OF SIX TH INVENTION:  Given Name (first and middle (if any)):  Wade W.  Inventor's Signature:  Residence: Excelsior, MN  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331   NAME OF SEVENTH INVENTOR:  Given Name (first and middle (if any)):  Family Name or Surname:  Country: USA  Citizenship: USA  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331			Citizenship:	
Given Name (first and middle [if any]):    Family Name or Surname: Robey   Pattern		1 45424		
Given Name (first and middle [if any]):    Family Name or Surname: Robey   Pattern				
Wade W. Robey  Inventor's Signature: Date:  Residence: Country: USA Citizenship: USA  Mailing Address: USA  Mailing Address: USA  NAME OF SEVENTHINVENTOR: A petition has been filed for this unsigned inventor.  Given Name (first and middle [if any]): Family Name or Surname: Trott	AME OF SIXTH INVENTION:	☐ A petition has be	en filed for this unsigned inventor.	
Residence: Country: USA Citizenship: USA  Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331  NAME OF SEVENTH INVENTOR: A petition has been filed for this unsigned inventor.  Given Name (first and middle [if any]): Family Name or Surname: Trott				
Mailing Address: 4051 Hallgren Court, Excelsior, MN 55331  NAME OF SEVENTHINVENTOR:  Given Name (first and middle [if any]): Sandra  USA  USA  USA  USA  USA  Divide A petition has been filed for this unsigned inventor.  Family Name or Surname: Trott	ventor's Signature:		Date:	
Apetition has been filed for this unsigned inventor.  Given Name (first and middle [if any]):  Sandra  □ A petition has been filed for this unsigned inventor.  Family Name or Surname:  Trott				
Given Name (first and middle [if any]): Sandra  Family Name or Surname: Trott				
Given Name (first and middle [if any]): Sandra  Family Name or Surname: Trott				
Sandra Trott		BUILDING		
Inventor's Signature: Date:				
- I	ventor's Signature:		Date:	
Residence: Country: Citizenship: Beavercreek, OH USA German	eavercreek, OH			
Mailing Address: 2700 Cedarbrook Way, Beavercreek, OH 45431		5431		

Porter	Family Name or Surname: Porter	
Inventor's Signature:		
esidence: Country: laple Grove, MN USA		
N 55369		
☐ A petition has b	een filed for this unsigned inventor.	
Family Name or Su Woo	ırname:	
	Date:	
Country: USA	Citizenship: USA	
H 45424		
☐ A petition has b	een filed for this unsigned inventor.	
Family Name or Surname: Robey		
Inventor's Signature:		
Country: USA	Citizenship:	
34.32		
☐ A petition has b	lition has been filed for this unsigned inventor.	
Given Name (first and middle [if any]): Family Name or St Sandra		
	Date:	
Country: USA	Citizenship: German	
45431		
	Country: USA  A petition has be Family Name or Survive USA  A petition has be Family Name or Survive USA  Country: USA  A petition has be Family Name or Survive USA  Country: USA  Country: USA  A petition has be Family Name or Survive USA  Country: USA  Country: Country: Country:	

	A petition has been filed to	or this drisigned inventor.		
Given Name (first and middle [if any]): Michael A.	Family Name or Surname: Porter			
Inventor's Signature:		Date:		
Residence: Maple Grove, MN	Country: USA	Citizenship: USA		
Mailing Address: 9123 Sycamore Lane No., Maple Grove, MN 5	55369			
p. 100 mg. M.C. Tarangaran and M. Mariana and M. Ma				
NAME OF FIETH INVENTOR	☐ A petition has been filed t	for this unsigned inventor.		
Given Name (first and middle [if any]): Anton J.	Family Name or Surname: Woo			
Inventor's Signature:		Date:		
Residence: Huber Heights, OH	Country: Citizenship: USA USA			
Mailing Address: 6887 Charlesgate Road, Huber Heights, OH 45424				
	7			
NAME OF SIXTH INVENTOR:	ME OF SIXTH INVENTOR: ☐ A pet/tion has been filed for this unsigned inventor.			
Given Name (first and middle [if any]): Wade W.	Family Name or Surname: Robey			
Inventor's Signature:		Date:		
Residence: Excelsior, MN	Country: USA	Citizenship: USA		
Mailing Address: 4051 Hailgren Court, Excelsior, MN 55331				
NAME OF SEVENTH INVENTOR	A petition has been filed for this unsigned inventor.			
Given Name (first and middle [if any]): Sandra	Family Name or Surname: Trott			
Inventor's Signature:		Date: 12 July 2006		
Residence: Beavercreek, OH	Country: USA	Citizenship: German		
Mailing Address: 2700 Cedarbrook Way, Beavercreek, OH 45-	431	·		
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## § 1.56 Duty to disclose information material to patentability.

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- Prior art cited in search reports of a foreign patent office in a counterpart application, and The closest information over which individuals associated with the filling or prosecution of a (1)(2)patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- It establishes, by itself or in combination with other information, a prima facle case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - Opposing an argument of unpatentability relied on by the Office, or
  - Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

Individuals associated with the filing or prosecution of a patent application within the meaning of (c) this section are:

- (1) (2) (3) Each inventor named in the application;
  - Each attorney or agent who prepares or prosecutes the application; and
- Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.